

COGBURN LAW
Jamie S. Cogburn, Esq.
Nevada Bar No. 8409
jsc@cogburncares.com
Joseph J. Troiano, Esq.
Nevada Bar No. 12505
jjt@cogburncares.com
2580 St. Rose Parkway, Suite 330
Henderson, Nevada 89074
Telephone: (702) 748-7777
Facsimile: (702) 966-3880
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANDREA NICOLE COSTELLO, an
individual,

Plaintiff,

vs.

GLEN WOOD COMPANY d/b/a WOOD
BROTHERS RACING, a foreign corporation;
TRAVIS ALEXANDER, an individual; DOE
Individuals 2–10; DOE Employees 11–20; and
ROE Corporations 22–30,

Defendant.

Case No: 2:19-cv-01752-APG-BNW

**STIPULATION TO EXTEND DEADLINE
FOR PLAINTIFF TO FILE A RESPONSE
TO THIRD-PARTY DEFENDANT,
NEVADA SPEEDWAY, LLC’S MOTION
FOR SUMMARY JUDGMENT**

(FIRST REQUEST)

The Parties herein submit this Stipulation to Extend Deadline for Plaintiff to File a Response to Third-Party Defendant, Nevada Speedway, LLC’s Motion for Summary Judgment pursuant to LR IA 6-1 and LR 7-1. This is the Parties’ first request to extend the opposition deadline in this matter.

On February 2, 2021, Third-Party Defendant, Nevada Speedway, LLC filed a Motion for Summary Judgment (ECF No. 71), which set the current response deadline to February 22, 2021 Pursuant to Local Rule IA 6-1,

1 A motion or stipulation to extend time must state the reasons for the
2 extension requested and must inform the court of all previous extensions of
3 the subject deadline the court granted. (Examples: “This is the first
stipulation for extension of time to file motions.” “This is the third motion
to extend time to take discovery.”)

4 The Parties seek the extension of the response deadline to Defendant, Nevada
5 Speedway, LLC’s Motion for Summary Judgment in this matter because an argument Plaintiff
6 would raise in his opposition is that the Court should deny the motion pursuant to Rule 56(d)
7 because discovery is not closed and Plaintiff is set to take the deposition Defendant Wood
8 Brothers Racing’s FRCP 30(b)(6) witness and the topics outlined address the issues raised in the
9 Motion for Summary Judgment. The FRCP 30(b)(6) deposition is set to take place on February
10 19, 2021 and discovery is set to close on March 12, 2021. Another reason to extend the response
11 deadline is because Defendant Travis Alexander was recently deposed on January 25, 2021 and
12 his deposition transcript has not yet been provided. It is Plaintiff’s position that Mr. Alexander
13 provided relevant testimony to the issues raised in the Motion for Summary Judgment.

14 Considering the above, the parties have agreed that the opposition to Defendant Nevada
15 Speedway, LLC’s Motion for Summary Judgment is due on March 26, 2021 – two weeks after
16 discovery will close regarding liability.¹ This request for an extension is made in good faith and
17 not for purposes of delay. Therefore, the aforementioned parties stipulate and agree that the new

18 ///

19 ///

20 ///

21 ///

22

23 ¹ The parties will submit a Stipulation and Order to extend discovery for the sole purpose of
24 deposing Defendant Wood Brothers Racing’s medical expert who is set to be deposed on March
25, 2021.

Costello v. Glenwood Company Dba Wood Brothers Racing Et Al
2:19-CV-01752-APG-BNW
Stipulation to Extend Deadline for Plaintiff to File a Response to Third-Party Defendant,
Nevada Speedway, LLC's Motion for Summary Judgment (First Request)

deadline to file a response to the Motion for Summary Judgment be continued to **March 26, 2021.**

Dated this 9th day of February, 2021.

Dated this 9th day of February, 2021.

COGBURN LAW

FENNEMORE CRAIG, P.C.

By: /s/ Joseph J. Troiano

By: /s/ Patrick J. Sheehan

Jamie S. Cogburn, Esq.
Nevada Bar No. 8409
Joseph J. Troiano, Esq.
Nevada Bar No. 12505
2580 St. Rose Parkway, Suite 330
Henderson, Nevada 89074
Attorneys for Plaintiff

Patrick J. Sheehan, Esq.
Nevada Bar No. 3812
300 S. Fourth Street, Suite 1400
Las Vegas, NV 89101
Attorneys for Third-Party Defendants
Nevada Speedway, LLC

Dated this 9th day of February, 2021.

TYSON & MENDES, LLC

By: /s/ Thomas E. McGrath

Thomas E. McGrath, Esq.
Nevada Bar No. 7086
Rachel J. Holzer, Esq.
Nevada Bar No. 11604
3960 Howard Hughes Pkwy. # 600
Las Vegas, NV 89169
Attorneys for Defendant, Glen Wood
Company, d/b/a Wood Brothers Racing

ORDER

IT IS SO ORDERED.

February 9, 2021

DATE


UNITED STATES DISTRICT JUDGE